

PROB 12B
(7/93)

Report Date: April 22, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

APR 26 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

Name of Offender: Benjamin Torres-Rivera

Case Number: 2:10CR06042-001

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko

Date of Original Sentence: 2/20/2006

Type of Supervision: Supervised Release

Original Offense: Possession with Intent to Distribute
8 Kilograms of Heroin, 21 U.S.C. § 841(b)(1)(B)(i)

Date Supervision Commenced: 4/12/2010

Original Sentence: Prison - 63 Months; TSR - 36
Months

Date Supervision Expires: 4/11/2013

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 19 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 20 You shall submit your person, residence, office, or vehicle to a search, conducted by a U.S. probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You shall warn persons with whom you share a residence that the premises may be subject to search.

CAUSE

This is a treaty transfer case from Mexico. During the transfer process, the Parole Commission neglected to include Special Conditions which this district normally imposes during sentencing. These conditions are needed to adequately supervise Mr. Torres-Rivera's reentry into the community. These conditions were reviewed with Mr. Torres and his rights and options were explained. Attached is a copy of the waiver signed by the defendant agreeing to the inclusion of the above conditions.

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Re: Torres-Rivera, Benjamin

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I declare under penalty of perjury that the foregoing is true and correct.

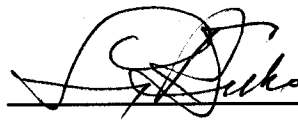
Executed on: April 22, 2010

s/Curtis G. Hare

Curtis G. Hare
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

4/26/10
Date